IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION In re Apple & AT&TM Antitrust Litigation NO. C 07-05152 JW ORDER VACATING CASE MANAGEMENT CONFERENCE The parties are scheduled for a Case Management Conference on November 17, 2008. Pursuant to Civil Local Rule 16-10(d), the parties timely filed a Joint Case Management Statement. (Docket Item No. 161.) The Court finds it appropriate to continue the Case Management Conference until such time as Magistrate Judge Seeborg issues his Discovery Order in this case. Accordingly, the November 17, 2008 Case Management Conference is VACATED. The Court will, if necessary, reschedule the Case Management Conference following issuance of Judge Seeborg's Discovery Order. Dated: November 13, 2008 United States District Judge

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THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO: 1 Adrian Frank Davis adrian.davis@lw.com Alexander H. Schmidt schmidt@whafh.com 3 Alfred Carroll Pfeiffer Al.Pfeiffer@lw.com Archis Ashok Parasharami aparasharami@mayerbrown.com Arthur William Lazear awl@hoffmanandlazear.com 4 Christopher E Ondeck condeck@crowell.com 5 Christopher S. Yates chris.yates@lw.com Damian Rene Fernandez damianfernandez@gmail.com Daniel Allen Sasse dsasse@crowell.com Daniel Murray Wall dan.wall@lw.com David Eldon Crowe dcrowe@crowell.com Donald M. Falk dfalk@mayerbrown.com 8 Francis M. Gregorek gregorek@whafh.com H. Tim Hoffman hth@hoffmanandlazear.com Jeffrey H. Howard ihoward@crowell.com 9 M. Van Smith mysmith@sbcglobal.net Marisa C. Livesay livesay@whafh.com 10 Mark Carl Rifkin rifkin@whafh.com Max Folkenflik max@fmlaw.net 11 Morgan Matthew Mack mmm@hoffmanandlazear.com 12 Rachele R. Rickert rickert@whafh.com Randall Scott Newman rsn@randallnewman.net Sadik Harry Huseny sadik.huseny@lw.com 13 Stephen DeNittis sdenittis@shabeldenittis.com Wm. Randolph Smith wrsmith@crowell.com 14 15 Dated: November 13, 2008 Richard W. Wieking, Clerk 16 17 By:_ /s/ JW Chambers Elizabeth Garcia 18 **Courtroom Deputy** 19 20 21 22 23 24 25 26 27